P.R. No. 3241/06
Presented by Shri Basant Kesharwani
dated 29/6/06

C. & 100 — SINGLE BENCH (1/3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G.)

W.P. No. 3183 /2006

Petitioner: Avadhram Chandrakar S/o Puriram Chandrakar, aged about 43 years, Assistant Teacher, Government Primary School, Eramsahi, Block Masturi, R/o Village Bhilai, Post Gataura, District Bilaspur.

Versus

Respondents:

1. State of C.G.
   Through : Secretary, Department of School Education, DKS Bhawan, Raipur.
2. Director, Directorate of Public Instructions, Pensionvada, Raipur.
3. Dy. Director, Public Instruction, Raipur (CG)
4. District Education Officer, Composite Building, Bilaspur.
5. Ku. Farida Begum, Vyayam Nirdeshak (Physical Instructor), Government Uchchattar Madhyamik Shala, Koni, Bilaspur.

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CLERK HIGH COURT BILASPUR 30/6/06

OATH COMMISSIONER APARNA MALVIYA Bilaspur Chhattisgarh

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(32)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.3183/ **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

3-7-2006

Mr. Ratan Pusty, counsel for the petitioner.

Mr. A.S. Kachhawaha, Govt. Advocate for the State/respondents No.1 to 4, on advance copy.

Heard both the counsel.

The main grievance of the petitioner raised in this writ petition under Article 226/227 of the Constitution of India is that even though respondent No.5 is junior to him, she has been promoted ignoring the claim of the petitioner.

The case of the petitioner is that he was appointed as Assistant Teacher on 26-12-1981 in Primary School, Tikari within the Block of Masturi, District: Bilaspur vide Annexure P-1, whereas, respondent No.5 was appointed as Assistant Teacher on 3-10-1984. The petitioner & respondent No.5 were sent for training of C.P. Ed. on 20th July, 1992 vide Annexure P-2 and they were successful in the said training. The certificate of successfully passing the training is Annexure P-3.

Learned counsel for the petitioner submits that the petitioner made several representations and the case of the petitioner has been recommended by the District Education Officer, Bilaspur, to respondent No.2 for promotion, but respondent No.2 is not passing any order. He further submits that in respect of the same, the petitioner has already made representation to respondent No.3 vide Annexure P-7 dated 2-8-2003, but nothing is being done. So, learned counsel submitted that the petitioner may be allowed to make a representation to respondent No.3 and respondent No.3 be directed to

(32)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.3183/ **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

consider the same, to which learned counsel appearing on behalf of the State/ respondents No.1 to 4 has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a representation to respondent No.3 within 15 days from today, and in turn, respondent No.3 shall decide the representation in an objective manner after considering the grievances raised by the petitioner within two months from the date of receipt of the representation, in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Soma